



# NORFOLK

*Department of Public Health*

## **ENVIRONMENTAL HEALTH REQUIREMENTS FOR BACKYARD CHICKENS**

### **Authority by Code**

Section 6-1.7 of the Norfolk City code requires that for any person to keep live chickens on any premises within the city shall have a health department permit, issued by the Director of Public Health. The permit shall be valid for one year and will include the owners name and address. The permit is non transferrable and is renewed yearly upon completion of an application, payment of the permit fee and a satisfactory inspection of the premises. Other referenced codes include 6.1-15 (adequate space provided), 6-1.77 and 6.1-78 (failure to perform duties of ownership and neglect), and Code of Virginia, §3.2-6503.1 (care of agricultural animals). See attached Code for complete information.

### **Permit Application Requirements**

#### **The permitting process includes the following:**

- (1) Completions of the Backyard Chicken permit application and payment of the non refundable plan review fee. Renters must provide written approval of the property owner. The permit is applicable to single family residences only, no manufactured homes. Day Care Providers are excluded.
- (2) The applicant shall sign a written statement confirming that they have read and reviewed the requirements for keeping chickens in Norfolk and agree to inspections of the coop/coop area and chickens without notice.
- (3) Submission for plan review includes an official survey (site plan) of the property, with the coop/coop area drawn in, to scale. Include detailed drawings showing the design of the coop or enclosure and the fencing. The plan will be reviewed by Environmental Health.
- (4) Provide a written plan detailing daily removal and proper disposal of dead chickens and animal waste, measures to keep waste out of surface water runoff and from running onto neighbors' yards, how odors will be controlled, and methods to be utilized to protect the chickens from predators, including domestic dogs and cats.
- (5) Veterinarian's name, address and phone number.

### **Animals**

A maximum of four (4) female chickens will be allowed. Roosters and capons are prohibited. Each chicken shall be tagged with an identification band on either leg or wing with an assigned number for that chicken. There shall be no selling of eggs or meat. Contact the Bureau of Environmental Health upon the loss or death of a chicken.

## **Housing and Sanitation**

Fenced areas, pens or structures for the keeping, placement or maintenance of not more than four adult female chickens shall not be located closer than 15 feet to any property line or occupied building, at least 20 feet from the nearest boundary of any city drainage easement and on areas of the property that, at all times, are not visible from any improved public right-of-way. Chickens may not be kept on any portion of the property located within 100 feet of the point of mean high water of any waterway, measured from the property line.

Coops shall provide not less than twenty (24) square feet of total area, including at least twelve (12) square feet of area in both the outside area and in the weatherproof, inside area.

All chickens shall be kept in a coop consisting of a covered, predator-proof shelter that is thoroughly ventilated, provides adequate protection from elements, is designed to be easily cleaned, can be accessed with at least one door sufficient to accommodate a human, and provides a feeder and watering space sufficient for the number of birds being kept. Coops and enclosures shall not permit chickens to be raised on mesh wiring. The coop/coop area shall be fully covered, fenced with no fencing slats greater than 2 inches apart.

Every person maintaining any area, pen or structure for keeping fowl shall keep such area, pen or structure clean, sanitary and free from refuse. All feed or other material intended for consumption by chickens shall be kept in containers impenetrable by rats or other rodents, and such containers shall be equipped with tightly fitting caps or lids. The presence of rats in an area, pen or structure used for the keeping of chickens shall be evidence that such area, pen or structure is maintained in violation and is subject to revocation of the permit or not recommending renewal.

## **Inspections**

Routine inspections conducted by Environmental Health Specialists with the Norfolk Department of Public Health are unannounced. The permit shall be maintained on the property where the chickens are kept and will be verified during the inspection. A minimum of two (2) inspections will be conducted after issuance of the permit. Any violations will be discussed with the permittee and may require immediate correction. A signed inspection report will be left. The permit and inspection reports shall be available for view by any city law enforcement officer, to include Animal Control Officers, Police Officers, and the Fire Marshal.

The Director of Public Health or their designee shall have the right to enter the premises at any reasonable time to inspect. Any refusal to allow inspections shall result in the denial or revocation of the permit.

## **Complaints**

Public Health shall only address complaints of public health significance such as human cases of Salmonella, Campylobacter or Escherichia coli related to runoff or improper use of chicken fecal waste products, unsanitary conditions of the coop or coop area, rodent infestations, or human or domestic animal exposures to potentially rabid animals.

Complaints of animal welfare in nature, nuisance complaints such as odors, chickens running at large, noise, shall be referred to Animal Control for investigation and management.

## **Permit and Renewal**

A permit issued by the Director of Public Health, as noted above, is required for keeping chickens. The initial application/ permit fee, which is non refundable, shall be paid after approval.

Permits are valid for one year and shall be effective through December 31 of the year in which it is issued. Payment of the permit fee is required prior to the expiration date noted on the permit. Failure to renew within 30 days of expiration shall result in revocation of any permission to keep chickens on the property.

The penalty fee for late renewal is as follows: After the grace period, the first 31-60 days the additional fee is \$25.00, and after 60 days or for repeat late renewals, the additional fee is \$50.00

Failure to comply with the provisions of the code may result in revocation of the permit, resulting in removal of the chickens from the property.

## **Revocation or Denial of Permit**

Any permit issued in accordance with this code is subject to revocation by the director of Public Health upon failure of the permittee to comply with relevant provisions of these regulations or state law or with any rules and regulations established in accordance with this code.

The following items would be just cause for revocation:

1. Inability to control the presence of rats in the immediate area
2. Increase evidence of pollution in surface waters.
3. Significant intrusions of wildlife in the neighborhood posing a great risk for human rabies exposure to occur.
4. Failure to maintain property in accordance with the rules and regulations.
5. Refusal to allow inspection.
6. Any other item deemed to be of public health significant concerns to the director of Public Health.
7. Any violation of animal welfare causing significant concerns to the Animal Control Officer.

## **Criminal Violations**

No chicken shall be killed or kept in any manner or condition that constitutes either cruelty or neglect to the animals. Any neglect or harm may result in seizure of the chickens by Animal Control Officers and charges may be filed with the City Attorney's Office.

Any person who abuses, neglects or otherwise harms any chicken shall be guilty of a violation of section 6-1.78 of the Norfolk City Code and shall be subject to the criminal penalties prescribed therein. No chicken shall be killed nor kept in any manner or condition that constitutes either cruelty to animals, in accordance with the provisions of section 6.1-78 of the city code, or a failure to perform any duties of ownership, in accordance with the provisions of section 6.1-77 of the Norfolk City Code.

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